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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

h re the application of: Irwin J. Griffith et al.

Serial No.: 08/737,904

Filed: November 20, 1996

For: T CELL EPITOPES OF RYEGRASS POLLEN

**ALLERGEN** 

Attorney Docket No.: IMI-040CP3 (075.1 US)

Group Art Unit: 1644

Examiner: R. Schwadron

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OFFICE OF PETITIONS

Commissioner for Patents Washington, D.C. 20231

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Date of Signature and of Mail Deposit

By:

Jeanne M. DiGiorgio

Reg. No. 41,710 Attorney for Applicant

## PETITION FOR WITHDRAWAL OF HOLDING OF ABANDONMENT UNDER 37 C.F.R. 1.181

Dear Sir:

Applicants' Attorney hereby petitions the Commissioner under 37 C.F.R. 1.181 to withdraw the holding of abandonment in the above-identified application. In particular, the Notice of Abandonment, dated August 8, 2001 (a copy of which is enclosed as Appendix A), states that the above-referenced application was abandoned based on "Applicants' failure to timely file a proper reply to the Office letter mailed on January 22, 2001."

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However, as evidenced by the date-stamped return postcard (a copy of which is enclosed as Appendix B), Applicants filed a timely reply on March 22, 2001 to the Office letter dated January 22, 2001 which was received by the Patent Office on March 26, 2001. A copy of the complete reply is enclosed as Appendix C. Appendix C includes a copy of each of the following documents as filed on March 22, 2001: (1) Transmittal Letter; (2) Preliminary Amendment; (3) Response to Notice to Comply with Requirements for Patent Application Containing Nucleotide and/or Amino Acid Sequence Disclosures"; (4) Request for One-Month Extension of Time; (5) the Examiner's communication and "Notice to Comply with Requirements for Patent Application Containing Nucleotide and/or Amino Acid Sequence Disclosures"; (6) Written Copy of Sequence Listing; (7) Transmittal letter for Diskette of Sequence Listing; (8) Copy of Diskette label containing Sequence Listing; (9) A check in the amount of \$110.00; and (10) date stamped return postcard indicating that this reply was received by the Patent Office on March 26, 2001.

Accordingly, based on the above-stated facts, Applicants' Attorney requests that the holding of abandonment of the present application be withdrawn.

Respectfully submitted,

LAHIVE & COCKFIELD, LLP

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Dated: 34 8-01

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